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October 26, 2018

Marlene H. Dortch, Secretary
Federal Communications Commission
445 12th Street, S.W., Room TW-B204
Washington, D.C. 20554

Re: WT Docket No. 10-90
WT Docket No. 10-208

Dear Ms. Dortch:

On October 23, 2018, undersigned counsel and Kevin Frawley, the chairman of the board of Smith Bagley, Inc. ("SBI"), met with Arielle Roth and Kagen Despain in Commissioner O'Rielly's office, and Preston Wise in Chairman Pai's office. On October 24, we met with Travis Litman in Commissioner Rosenworcel's office.

In each meeting, we discussed the need to improve the Commission's Tribal Mobility Fund Phase II mapping resources, following up on SBI's recent request for informal action, filed October 18, 2018.¹ We provided examples of inaccessible roads the company has encountered in its drive testing, along with a sample of drive testing conducted by CostQuest Associates in accordance with the challenge process procedures, illustrating the difficulties in lodging valid challenges in remote Tribal lands and nearby areas.

SBI noted that it has to date spent over one quarter of a million dollars on drive testing, but has only covered a small fraction of the thousands of individual one square kilometer grid cells that it believes should be tested. There is no possibility that it will complete drive testing of its 27,000 square mile Tribal land before November 26, and even if it could, the cost would be prohibitively expensive.

¹ <https://ecfsapi.fcc.gov/file/1018036224485/2018%201018%20SBI%20Request%20for%20FCC%20Action%20FINAL.pdf>.

SBI urged the Commission to consider whether revising the inputs on the model used to generate challenge maps would yield a more conservative map that does not overstate the availability of 4G LTE service at 5 Mbps. SBI also suggested drive testing by the Commission's field Operations Bureau, USAC's drive testers, and possibly crowd sourced data to assist in improving map accuracy.

We also discussed the need to weight the upcoming Tribal Mobility Fund Phase II auction to minimize the possibility that the most remote and difficult to serve Tribal lands are not foreclosed from receiving support. SBI left behind its *ex parte* presentation of June 14, 2018.²

We have enclosed copies of the materials shared at the meetings.

Should you have any questions, please contact undersigned counsel directly.

Sincerely,



David A. LaFuria
Counsel for Smith Bagley, Inc.

Enclosures

cc: Arielle Roth
Kagen Despain
Preston Wise
Travis Litman
Kevin Frawley

² <https://ecfsapi.fcc.gov/file/10615906504538/2018%200614%20SBI%20ex%20parte%20letter%20FINAL.pdf>.

MFII Challenge Analysis

CELLULARONE

AZ-611-2

- Drive Route
- Presumptive Successful Challenge
- Grids Boundary
- Drive Result 400m Buffer
 - ≥ 5 Mbps, LTE
 - < 5 Mbps, LTE

Successful challenge count	25
Total cell visited	70
Stop Count	29
Estimated area (Sq. Mile)	115.54
Yield (%)	86.21%



4.2

Miles

Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, © OpenStreetMap contributors, and the GIS User Community

Date: 10/5/2018



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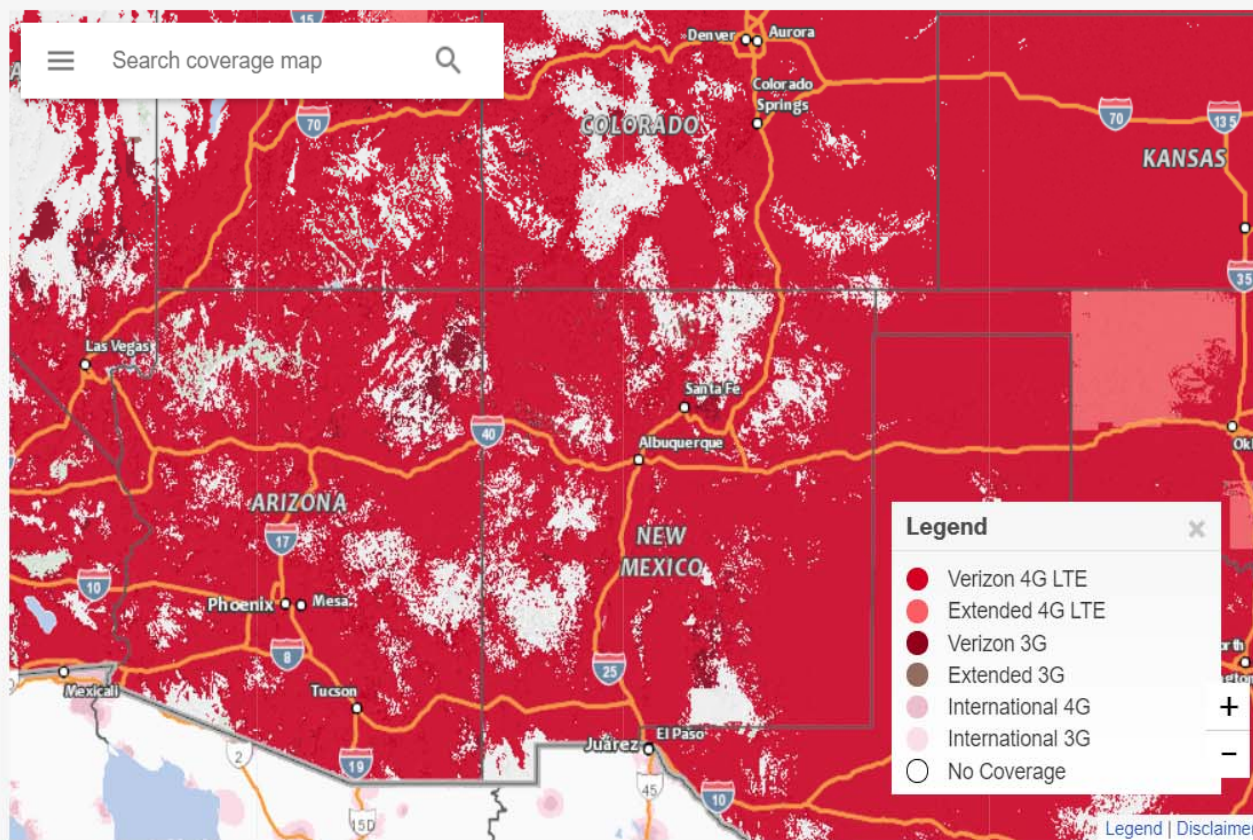


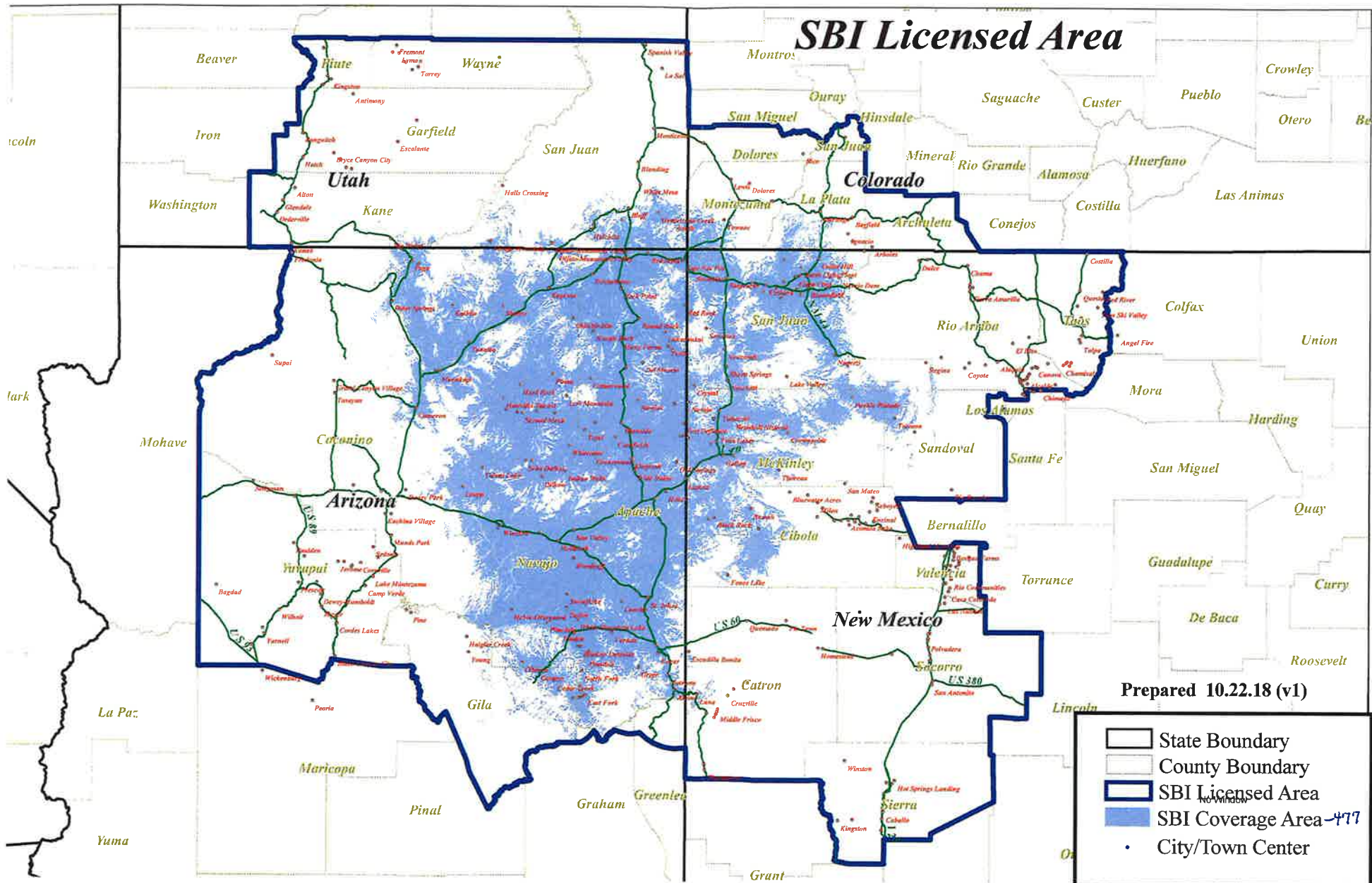
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